IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 326 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE J.R.VORA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

NANDUBEN ALIAS REVABEN WD/O LALLUBHAI CHHIBABHAI

Versus

BHIKHUBHAI LALLUBHAI SONAVIYA

Appearance:

MR JT TRIVEDI for Petitioners

MS NIRALI B MUNSHI for Respondent No. 1

CORAM : MR.JUSTICE J.R.VORA

Date of decision: 18/06/2001

ORAL JUDGEMENT

1. While hearing this Appeal, for admission and interim stay, the learned advocates for both the parties, requested to decide the matter finally with some directions to the Trial Court and, therefore, the Appeal

is Admitted.

2. Having regard to the submissions made on behalf of the parties by learned advocates, and having regard to the circumstances of this case, and having regard to the age of this litigation, which has gained almost 10 years, the Appeal is required to be disposed of with the following directions to the Trial Court.

3. The Trial Court is directed to finally hear and decide Spl. Civil Suit No. 15 of 1991 within three months from the date of receipt of the writ of this Court or on producing certified copy of the writ of this Court by any of the parties. In the meantime, i.e. till the final disposal of Spl. Civil Suit No. 15 of 1991, the interim order passed by the Trial Court on 13th March, 2000 on an Application at Exh.5 and order passed by the Trial Court below Exh. 40 and Exh. 41 shall remain in operation. Learned Advocates for the parties make a statement that the parties shall cooperate with the Court in expeditious disposal of Spl. Civil Suit No. 15 of 1991.

4. With this direction, this Appeal is disposed of with no order as to costs. D.S. is permitted.

(J.R. Vora, J.)

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